

701—126.6 (421,441) Hearing scheduling and discovery plan.

126.6(1) *When required.* For appeals involving properties classified commercial or industrial and assessed at \$2 million or more, a scheduling order shall be sent to the parties to set dates for discovery, designation of witnesses, filing of motions, exchange of evidence, and a contested case hearing. In any other appeal, the parties may jointly enter a scheduling order or the board may, on its own motion, issue a scheduling order. The dates established in a scheduling order under this rule shall supersede any dates set forth in any other rule in this chapter.

126.6(2) *Prehearing conference.* A party may request a prehearing conference to resolve scheduling issues.

126.6(3) *Modification.* The parties may jointly agree to modify a scheduling order. If one party seeks to modify a scheduling order, the party must show good cause for the modification.

126.6(4) *Failure to comply.* A party that fails to comply with a scheduling order shall be required to show good cause for failing to comply with the order and that the other party is not substantially prejudiced. Failing to comply with a scheduling order may result in sanctions including, but not limited to, the exclusion of evidence or dismissal of the appeal.

[ARC 2108C, IAB 8/19/15, effective 9/23/15]